

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

PATRICIA WECKWERTH, et al.,

Plaintiff,

vs.

NISSAN NORTH AMERICA, INC.,

Defendant.

Case No. 3:18-cv-0588

CLASS ACTION

**SUPPLEMENTAL DECLARATION OF
LANA LUCCHESI RE: NOTICE
PROCEDURES**

1 I, LANA LUCCHESI, declare and state as follows:

2
3 1. I am a Director with KCC Class Action Services, LLC (“KCC”), located at 3301
4 Kerner Boulevard, San Rafael CA 94901. Pursuant to the Preliminary Approval Order of Class
5 Action Settlement (the “Preliminary Approval Order”) dated July 16, 2019, the Court appointed
6 KCC as the Claims Administrator in connection with the proposed Settlement of the above-
7 captioned Action.¹ I have personal knowledge of the matters stated herein and, if called upon,
8 could and would testify thereto.

9 2. The purpose of this declaration is to provide updated statistics based on my last
10 declaration executed on January 23, 2020

11 **SETTLEMENT WEBSITE**

12 3. On or about October 30, 2019, KCC established a website
13 [www.SentraVersaCVTSettlement.com] dedicated to this proposed settlement to provide
14 information to the Class Members and to answer frequently asked questions. The website URL
15 was set forth in the Postcard Notice, Long-Form Notice, and Claim Form. Visitors of the website
16 can download copies of the Long-Form Notice, Claim Form, and other case-related documents.
17 Visitors can also submit claims online and upload supporting documentation. As of February 21,
18 2020, the website has received 173,516 visits.

19 **TELEPHONE HOTLINE**

20 4. KCC established and continues to maintain a toll-free telephone number (1- 855-
21 222-6841) for potential Class Members to call and obtain information about the Settlement,
22 and/or request a Long Form Notice and Claim Form. The telephone hotline became operational
23 on October 30, 2019, and is accessible 24 hours a day, 7 days a week. As of February 21, 2020,
24 KCC has received a total of 60,710 calls to the telephone hotline.

25 **CLAIM FORMS**

26
27
28 ¹ All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in
the Settlement Agreement, dated June 7, 2019 (the “Settlement Agreement”) and/or the
Preliminary Approval Order.

5. The postmark deadline for Class Members to submit a claim in this matter is January 30, 2020, or within thirty (30) days of a Qualifying Repair for which the Class Member seeks reimbursement of the portion of parts and labor actually paid by the Class Member, whichever is later. To date, KCC has received 13,253 timely-filed claim forms and 534 late-filed claim forms. KCC expects additional timely-filed claim forms to arrive over the next few weeks. KCC is currently reviewing the claim forms and supporting information for validity.

REPORT ON EXCLUSION REQUESTS RECEIVED TO DATE

6. The Notice informs Class Members that any request for exclusion from the Settlement Class must be postmarked no later than February 7, 2020. As of the date of this declaration, KCC has received 3,892 requests for exclusion. Two (2) of these were received after the February 7, 2020 deadline and are considered late. A list of the Class Members requesting to be excluded is attached hereto as Exhibit A.

NOTICE AND SETTLEMENT ADMINISTRATION COSTS

7. To date, KCC has incurred total notice and settlement administration costs of \$1,264,091.42. If the settlement receives final approval, additional costs will be incurred to review claims from members of the Settlement Class, process and pay valid claims, communicate with class members, and carry out other tasks in administering the settlement. The costs of notice and settlement administration are being paid by the Defendant to KCC directly.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 24th at San Rafael, California.

Luigi Lucchesi